

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CATHERINE McNEILLY,

Plaintiff,

v.

THE CITY OF PITTSBURGH, et al.,

Defendants.

C.A. 06-1685

**PLAINTIFF'S MOTION TO ENTER JUDGMENT ON ATTORNEYS' FEES**

Plaintiff, by and through her undersigned attorneys, hereby moves this Court to enter judgment for an award of attorneys' fees, and as grounds therefore avers as follows:

1. Pursuant to a Settlement Agreement signed by the parties to this action in March 2007, Plaintiff's entitlement to attorneys' fees was referred to binding arbitration, the Honorable Donald E. Ziegler presiding. Settlement Agreement, ¶ 6.
2. On October 19, 2007, Judge Ziegler entered an *Award of Arbitrator*, a copy of which is attached as Exhibit 1. This Award is not appealable.
3. Under the Award of Arbitrator, Defendants are required to pay Plaintiff's attorneys \$147,568 in fees and costs.
4. Defendants do not contest this motion.

WHEREFORE, Plaintiffs respectfully request that is Court enter judgment in favor of Plaintiff on the award of attorney fees and costs and direct Defendants to pay Plaintiff forthwith the sum of \$147,568.

Respectfully submitted,

/s/ Witold J. Walczak

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October 24, 3007

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of October, 2007, a copy of the foregoing motion was served, by electronic mail, upon the following:

Michael Kennedy  
Michael.Kennedy@city.pittsburgh.pa.us  
Counsel for Defendants

/s/ Witold J. Walczak  
Witold J. Walczak